

Neel Chatterjee (SBN 173985)
nchatterjee@goodwinlaw.com
Andrew Ong (SBN 267889)
aong@goodwinlaw.com
GOODWIN PROCTER LLP
601 Marshall Street
Redwood City, CA 94063
Tel: +1 650 752 3100
Fax: +1 650 853 1038

Hayes P. Hyde (SBN 308031)
hhyde@goodwinlaw.com
GOODWIN PROCTER LLP
Three Embarcadero Center
San Francisco, CA 94111
Tel: +1 415 733 6000
Fax: +1 415 677 9041

Attorneys for Plaintiff

Vasudha Talla (SBN 316219)
vtalla@aclunc.org
William S. Freeman (SBN 82002)
wfreeman@aclunc.org
**AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF NORTHERN
CALIFORNIA**
39 Drumm Street
San Francisco, CA 94111
Tel: +1 415 621 2493
Fax: +1 415 255 8437

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

AMERICAN CIVIL LIBERTIES UNION OF
NORTHERN CALIFORNIA,

Plaintiff,

v.

U.S. DEPARTMENT OF HOMELAND
SECURITY, IMMIGRATION AND
CUSTOMS ENFORCEMENT,

Defendant.

Case No. 3:18-cv-4105-LB

**JOINT CASE MANAGEMENT
STATEMENT**

Date: May 20, 2021
Time: 9:30 a.m.
Courtroom: Via Zoom
Judge: Hon. Laurel Beeler

1 The parties submit this joint case management statement in advance of the upcoming May
2 20, 2021 case management conference.

3 As described in the parties last Case Management Statement filed on February 4, 2021,
4 following ICE's completion of documents productions in August 2020 in response to the ACLU's
5 requests under the Freedom of Information Act ("FOIA"), the parties agreed to resolve the claims in
6 this action without further litigation (in particular as to the scope of the documents produced or the
7 agency's redactions to those documents), with the intent to enter into a settlement agreement
8 whereunder the ACLU will dismiss the claims in this action. The ACLU intends to seek attorneys'
9 fees and costs and the parties agreed to attempt to negotiate a resolution of fees and costs.

10 On April 15, 2021, the ACLU presented a fees and costs proposal to the agency, which the
11 agency is now assessing. In light of this, the parties respectfully ask the Court to take the upcoming
12 case management conference on May 20, 2021 off calendar while the parties attempt to resolve the
13 fees and costs issue. The parties propose that they file a joint update with the Court by July 30, 2021.

14
15 Dated: May 11, 2021

Respectfully submitted,

16
17 By: /s/ Neel Chatterjee

18 Neel Chatterjee
19 Andrew Ong
Hayes P. Hyde
GOODWIN PROCTER LLP

20 Vasudha Talla
21 William S. Freeman
AMERICAN CIVIL LIBERTIES
22 **UNION FOUNDATION OF**
NORTHERN CALIFORNIA

23 *Attorneys for Plaintiff*

24 Dated: May 11, 2021

STEPHANIE M. HINDS
Acting United States Attorney

25
26 By: /s/ Kenneth Brakebill

27 KENNETH BRAKEBILL
Assistant United States Attorney

ATTORNEY ATTESTATION

I hereby attest, pursuant to Local Rule 5-1(i)(3), that I obtained the concurrence in the filing of this document from the signatories indicated by the conformed signature (/s/).

/s/ Neel Chatterjee
Neel Chatterjee

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on May 11, 2021. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct. Executed on May 11, 2021, in Los Altos, California.

/s/ Neel Chatterjee
Neel Chatterjee